FORM NLRB-501 (3-21)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE
Case Date Fil

04-CA-292961

Date Filed 3-28-22

INSTRUCTIONS

File an original with NLRB Regional Director for the region in	which the alleged unfair labor practice occurred or is o	ccurring.
1. EMPL	OYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer		b. Tel. No. (b) (6), (b) (7)(C)
GT-USA Wilmington, LLC		c. Cell No. (b) (6), (b) (7)(C)
d Address (Street city state and 7ID and a)	e. Employer Representative	f. Fax. No. (b) (6), (b) (7)(C)
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	g. e-mail
1 Hausel Road, Wilmington, DE, 19801	(b) (6), (b) (7)(C)	
Willington, B2, 10001		h. Number of workers employed 300+
i. Type of Establishment (factory, mine, wholesaler, etc.) Autmotive, Aviation, and Marine	j. Identify principal product or service Marine Cargo	
The above-named employer has engaged in and is engage		ection 8(a), subsections (1) and
(list subsections) subsection (3)	and Section (7) of the National La	bor Relations Act, and these unfair labor
practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	aning of the Act, or these unfair labor practices are p	ractices affecting commerce within the
Basis of the Charge (set forth a clear and concise state)	ement of the facts constituting the alleged unfair labor	r practices)
local 1694 and 1884. The (b) (6), (b) (7)(C) being banned from the port, certification be PMTA has a contract. This goes against a lette which gave the right to work wherever PMT against the PMTA (b) (6), (b) (7)(C), which did, with no further action taken, so it is clear 3. Full name of party filing charge (if labor organization, girls).	nich gives et en	and the II A This also does
(b) (6), (b) (7)(C)		
4a. Address (Street and number, city, state, and ZIP code		4b. Tel. No. (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)		4c. Cell No.
		4d. Fax No.
		(b) (6), (b) (7)(C)
5. Full name of national or international labor organization	of which it is an affiliate or constituent unit (to be fille	d in when charge is filed by a labor organization)
(b) (6), (b) (7)(C) e that I have read the above	ARATION	Tel. No. (b) (6), (b) (7)(C)
are true to the best of m	by knowledge and belief.	Office, if any, Cell No.
or person making charge;	(Print/type name and title or office, if any)	Fax No.
Address (b) (6), (b) (7)(C)	Date 3/24/2022	(b) (6), (b) (7)(C)
WILLELL EALSE STATEMENTS ON THIS CHARGE	CAN BE PUNISHED BY FINE AND IMPRISONMEN	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

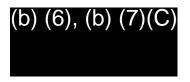
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



March 28, 2022



REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: GT-USA Wilmington, LLC

Case 04-CA-292961

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on March 28, 2022 has been docketed as case number 04-CA-292961. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan

Regional Director



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Download NLRB Mobile App

March 28, 2022

(b) (6), (b) (7)(C) 1 Hausel Road

1 Hausel Road Wilmington, DE 19801

Re: GT-USA Wilmington, LLC Case 04-CA-292961

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<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Goom

Thomas Goonan Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 NATIONAL LABOR RELATIONS BOARD (3-11)					
QUESTIONNAIRE ON COMMERCE INFORMATION					
Please read carefully, answer all applicable items, and re	turn to the NLRB Office. If additio	onal space is required, please add a page	and identify item number.		
CASE NAME CASE NUMBER 04-CA-292961					
1. EXACT LEGAL TITLE OF ENTITY (As filed w	ith State and/or stated in legal	documents forming entity)			
2. TYPE OF ENTITY					
[] CORPORATION [] LLC [] LLP [PARTNERSHIP [] SOLI	E PROPRIETORSHIP [] OTHER	(Specify)		
3. IF A CORPORATION or LLC					
A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND	RELATIONSHIP (e.g. parent, subsidia	ry) OF ALL RELATED EI	NTITIES	
4. IF AN LLC OR ANY TYPE OF PARTNERSHI	P, FULL NAME AND ADDRE	ESS OF ALL MEMBERS OR PARTY	VERS		
5. IF A SOLE PROPRIETORSHIP, FULL NAME	AND ADDRESS OF PROPRI	ETOR			
,					
6. BRIEFLY DESCRIBE THE NATURE OF YOU	R OPERATIONS (Products ha	andled or manufactured, or nature of se	rvices performed).		
	`		• •		
7A. PRINCIPAL LOCATION:	7B. BRANC	H LOCATIONS:			
8. NUMBER OF PEOPLE PRESENTLY EMPLO	VED				
	I	OLUTED DUTING MATTER			
A. TOTAL:	B. AT THE ADDRESS INVO		VEAD (EVDATE)	,	
9. DURING THE MOST RECENT (Check the appr	ropriate box): [] CALENDAR	R [] 12 MONTHS or [] FISCAL	YEAR (FY DATES	NO NO	
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$					
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased					
goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$					
	C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems,				
newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$					
11 less than \$30,000, indicate amount. \$					
D. Did you sell goods valued in excess of \$50,000 directions amount. \$	ectly to customers located outside	e your State? If less than \$50,000, indic	ate		
D. Did you sell goods valued in excess of \$50,000 dire	d in excess of \$50,000 directly to	o customers located inside your State wi	10		
D. Did you sell goods valued in excess of \$50,000 dire amount. \$	d in excess of \$50,000 directly to from directly outside your State	o customers located inside your State wh? If less than \$50,000, indicate amount	10		
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D. Did you sell goods valued in excess of \$50,000 dire amount. \$	d in excess of \$50,000 directly to from directly outside your State? tess of \$50,000 from directly outside and the sess of \$50,000 from enterprises addicate amount. \$	o customers located inside your State will If less than \$50,000, indicate amount iside your State? If less than \$50,000, who received the goods directly from bunt) than \$100,000, indicate amount.			

PRIVACY ACT STATEMENT

E-MAIL ADDRESS

DATE

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

SIGNATURE

NAME AND TITLE (Type or Print)

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

GT-USA WILMINGTON, LLC	
Charged Party	
and	Case 04-CA-292961
(b) (6), (b) (7)(C)	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AC	GAINST EMPLOYER
I, the undersigned employee of the National Laborator March 28, 2022, I served the above-entitled docu following persons, addressed to them at the following Distriction (b) (6), (b) (7)(C) 1 Hausel Road Wilmington, DE 19801	ment(s) by post-paid regular mail upon the
March 28, 2022	Renai J. Warren, Designated Agent of NLRB
Date	Name
	/s/ Renai J. Warren Signature



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601

Fax: (215)597-7658

April 5, 2022

(b) (6), (b) (7)(C) 1 Hausel Road Wilmington, DE 19801

Re: GT-USA Wilmington, LLC Case 04-CA-292961

Dear (b) (6), (b) (7)(C)

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

Thurs Goon

Thomas Goonan Regional Director

cc:

(b) (6), (b) (7)(C)

INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT LINDER 44 LLS C 3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

	TOTAL EXEMIT TOTALER 44 0.0.0 0012		
DO NOT WRITE IN THIS SPACE			
Case	Date Filed		
04-CB-275261	4/7/21		

INSTRUCTIONS: File an original with NLRB Regional Director for the	region in which the alleged u	ntair labor prac	ctice occurre	ed or is occurring.
1. LABOR ORGANIZATION OR ITS	AGENTS AGAINST WHICH			
a. Name		b. Union Rep	resentative	to contact
Local ILA 1694		Ericl L Dor	sey	
		Title: Busir	ness Agent	
All (0) (7 (1 (7 (7 (1))))		d. Tel. No.		e. Cell No.
c. Address (Street, city, state, and ZIP code)		(302) 652-52	204	e. Cell No.
200 S Claymont Street		f. Fax No.		g. e-Mail
DE Wilmington 19899				dorsey1694@aol.com
h. The above-named organization(s) or its agents has (have) engaged subsection(s) (list subsections) (1)(A) are unfair practices affecting commerce within the meaning of the Ac meaning of the Act and the Postal Reorganization Act.	of the Natio	onal Labor Rel	ations Act, a	and these unfair labor practices
2. Basis of the Charge (set forth a clear and concise statement of the	e facts constituting the alleged	d unfair labor p	ractices)	
See additional page				
Gee additional page				
3. Name of Employer		4a. Tel. No. (302) 472-76	79	b. Cell No.
Port Of Wilmington GT USA		c. Fax No.	70	d. e-Mail
Location of plant involved (street, city, state and ZIP code)			6 Employ	ver representative to contact
1 Hausel Road			Micheal F	-
DE Wilmington 19801			Title: Chie	ef Operations Officer
7. Type of establishment (factory, mine, wholesaler, etc.)	8. Identify principal product	or service	9. Numbe	r of workers employed
10. Full name of party filing charge		11a. Tel. No.		b. Cell No.
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)	4 - 84-9
·		c. Fax No.		d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.)	1			(6) (0), (6) (7)(0)
(b) (6), (b) (7)(C)				
12. DECLARATION		Tel.		
I declare that I have read the above charge and that the statements therein are true to	the best of my knowledge and belie	f.	(b) (6), (b	b) (7)(C)
By	(b) (6), (b) (7)(C) name and title or office, if any	Cell	NU.	
(Fillibly)	Title:	Fax	No.	
(b) (6), (b) (7)(C)		e-M	ail	
Address	(date)_04/06/2021	08:02:34 PM		, (b) (7)(C)
	(uate)			

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

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Basis of the Charge

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



April 7, 2021

Eric L Dorsey, Business Agent ILA Local 1694 200 S Claymont Street Wilmington, DE 19899

REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: Local ILA 1694

(Port of Wilmington GT USA)

Case 04-CB-275261

Dear Mr. Dorsey:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Examiner CARA L. FIES-KELLER whose telephone number is (215)597-7636.

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If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to

Case 04-CB-275261

your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosure: Copy of Charge

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

LOCAL ILA 1694 (PORT OF WILMINGTON G'USA)	Γ
Charged Party	
and	Case 04-CB-275261
(b) (6), (b) (7)(C)	
Charging Party	
I, the undersigned employee of the National Labor Re April 7, 2021, I served the above-entitled document(s following persons, addressed to them at the following) by post-paid regular mail upon the
Eric L Dorsey, Business Agent ILA Local 1694 200 S Claymont Street Wilmington, DE 19899	
April 7, 2021 Date	Jane Peterson, Designated Agent of NLRB Name
	/s/ Jane Peterson

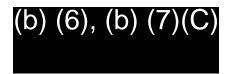
Signature



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



April 7, 2021



REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: Local ILA 1694

(Port of Wilmington GT USA)

Case 04-CB-275261

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on April 07, 2021 has been docketed as case number 04-CB-275261. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

This charge is being investigated by Field Examiner KATHLEEN **Investigator:** O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Examiner CARA L. FIES-KELLER whose telephone number is (215)597-7636.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Case 04-CB-275261

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

Case 04-CB-275261

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thoras Govan

Thomas Goonan Regional Director



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



April 7, 2021

Michael Hall, Chief Operations Officer Port of Wilmington GT USA 1 Hausel Road Wilmington, DE 19801

100 E Penn Square

Philadelphia, PA 19107

REGION 4

Suite 403

Re: Local ILA 1694

(Port of Wilmington GT USA)

Case 04-CB-275261

Dear Mr. Hall:

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Examiner CARA L. FIES-KELLER whose telephone number is (215)597-7636.

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<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

USA)

Case 04-CB-275261

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Case 04-CB-275261

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosures

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 NATIONAL LABOR RELATIONS BOARD (3-11)							
	QUESTIONNAIRE ON COMMERCE INFORMATION						
Please read carefully, answer all applicable items, and re					age and ide	entify item number	
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					04-CB-2		
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OR FORMATION			(e.g.)	parcial, sacs	,, 0.2		
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PRIVACY ACT STATEMENT

SIGNATURE

NAME AND TITLE (Type or Print)

E-MAIL ADDRESS

DATE

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



REGION 4 100 Penn Square East Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658

May 20, 2021

Lance Geren, Esquire Jacqueline Canzoneri, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut Street, Suite 600 Philadelphia, PA 19106

Re: ILA Local 1694

(Port of Wilmington GT USA)

Case 04-CB-275261

Dear Mr. Geren and Ms. Canzoneri:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

Thomas Goonan Regional Director

cc: Eric L. Dorsey, Business Agent ILA Local 1694 200 S. Claymont Street Wilmington, DE 19899

(b) (6), (b) (7)(C)

Michael Hall, Chief Operations Officer Port of Wilmington GT USA 1 Hausel Road Wilmington, DE 19801 INTERNET FORM NLRB-508 (2-08)

UNITED STATES OF AMERICA FORM EXEMPT UNDER 44 U.S.C 3512 UNITED STATES OF AMERICA

NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST LABOR ORGANIZATION

DO NOT WRITE IN TH		E IN THIS SPACE
	Case 04-CB-276323	Date Filed 4/28/21

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

INSTRUCTIONS: File an original with NLRB Regional Director for the	region in which the alleged u	nfair labor prad	ctice occurre	ed or is occurring.
1. LABOR ORGANIZATION OR ITS	AGENTS AGAINST WHICH	CHARGE IS E	BROUGHT	
a. Name		b. Union Rep	resentative	to contact
International Longshoremen's Association Local 1694		Willaim As	she Jr.	
		Title: Presi	dont	
		Tide. Plesi	dent	
c. Address (Street, city, state, and ZIP code)		d. Tel. No.		e. Cell No.
C. Address (Street, City, State, and Zir Code)		(b) (6), (b) (7)((C)	0. 001110.
200 S. Claymont St.		f. Fax No.		g. e-Mail
DE Wilmington 19801				(b) (6), (b) (7)(C)
L. The above and a serie field a site of the series for the series of th	: 1:- /\	f-i- -		if(i0/l)
 h. The above-named organization(s) or its agents has (have) engaged subsection(s) (list subsections) (1)(A) 	in and is (are) engaging in un	itair labor pract	iices within t ations Act a	he meaning of section 8(b), and these unfair labor practices
are unfair practices affecting commerce within the meaning of the A	ct, or these unfair labor practi	ces are unfair	practices aff	fecting commerce within the
meaning of the Act and the Postal Reorganization Act.				
2. Basis of the Charge (set forth a clear and concise statement of the	e facts constituting the allege	d unfair labor p	ractices)	
Con additional page				
See additional page				
2. Name of Employer		4a. Tel. No.		b. Cell No.
Name of Employer GT USA Wilmington		(302) 562-72	16	b. 0011110.
OT OSA Willington		c. Fax No.		d. e-Mail
		1		mphillips@gulftainer.com
5. Location of plant involved (street, city, state and ZIP code)			6. Employ Mike Phill	er representative to contact
1 Hausel Road DE Wilmington 19801-5852			Title:	ips
7. Type of establishment (factory, mine, wholesaler, etc.)	8. Identify principal product	or service	9. Numbe	r of workers employed
10. Full name of party filing charge		11a. Tel. No.		b. Cell No.
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)	
(-) (-) (-) (-)		c. Fax No.		d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code.)				(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)				
12. DECLARATION		, Tel.	No. (b) (6) (b	N (7)(C)
I declare that I have read the above charge and that the statements therein are true to			(b) (6), (b) (r)(C)
Dy	(6), (b) (7)(C)	Cell	NO.	
(s f representative or person making charge) (Print/type	name and title or office, if any	/) Fax	No.	
(h) (C) (h) (7)(O)	Title:	37		
(b) (6), (b) (7)(C)		e-M		
Address	(date)_04/28/2021	12:25:54 PM	(b) (6)	, (b) (7)(C)
	/			

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



April 29, 2021

William Ashe JR., President International Longshoremen's Association Local 1694 200 S. Claymont St. Wilmington, DE 19801

REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: International Longshoremen's Association

Local 1694 (GT USA Wilmington)

Case 04-CB-276323

Dear Mr. Ashe:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Examiner CARA L. FIES-KELLER whose telephone number is (215)597-7636.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence:</u> All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosure: Copy of Charge

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

INTERNATIONAL LONGSHOREMEN'S ASSOCIATION LOCAL 1694 (GT USA WILMINGTON)	
Charged Party	Case 04-CB-276323
and	
(b) (6), (b) (7)(C)	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AGAI	INST LABOR ORGANIZATION
I, the undersigned employee of the National Labor F April 29, 2021, I served the above-entitled document following persons, addressed to them at the following	t(s) by post-paid regular mail upon the
William Ashe JR., President International Longshoremen's Association	
Local 1694	
200 S. Claymont St. Wilmington, DE 19801	
April 29, 2021	Jane Peterson, Designated Agent of NLRB
Date	Name

/s/ Jane Peterson

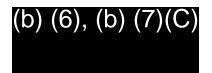
Signature



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



April 29, 2021



REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: International Longshoremen's Association Local 1694 (GT USA Wilmington) Case 04-CB-276323

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on April 28, 2021 has been docketed as case number 04-CB-276323. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Examiner CARA L. FIES-KELLER whose telephone number is (215)597-7636.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thoras Govan

Thomas Goonan Regional Director



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Mobile App



April 29, 2021

Mike Phillips GT USA Wilmington 1 Hausel Road Wilmington, DE 19801-5852

REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: International Longshoremen's Association

Local 1694 (GT USA Wilmington)

Case 04-CB-276323

Dear Mr. Phillips:

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Examiner CARA L. FIES-KELLER whose telephone number is (215)597-7636.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosures

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 NATIONAL LABOR RELATIONS BOARD (3-11)								
QUESTIONNAIRE ON COMMERCE INFORMATION								
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.								
CASE NAME CASE NUMBER								
04-CB-276323								
1. EXACT LEGAL TITLE OF ENTITY (As filed w	ith State and/or	stated in legal (documents forming e	ntity)				
2. TYPE OF ENTITY								
[] CORPORATION [] LLC [] LLP []	PARTNERSH	IP [] SOLE	PROPRIETORSHIP	[] OTH	ER (Spec	cify)		
3. IF A CORPORATION or LLC								
A. STATE OF INCORPORATION	B. NAME, AI	DDRESS, AND	RELATIONSHIP (e.g.	parent, subsi	diary) O	F ALL RELATED E	NTITIES	
OR FORMATION								
4. IF AN LLC OR ANY TYPE OF PARTNERSHIP	L P, FULL NAME	E AND ADDRE	SS OF ALL MEMBE	RS OR PAR	TNERS			
	,							
5. IF A SOLE PROPRIETORSHIP, FULL NAME	AND ADDRES	S OF PROPRII	ETOR					
6. BRIEFLY DESCRIBE THE NATURE OF YOU	R OPERATION	NS (Products ha	ndled or manufactured	, or nature of	services	performed).		
7A. PRINCIPAL LOCATION:		7B. BRANCI	H LOCATIONS:					
8. NUMBER OF PEOPLE PRESENTLY EMPLOY	T T							
A. TOTAL:			LVED IN THIS MAT					
9. DURING THE MOST RECENT (Check the appr	opriate box): [] CALENDAR	[] 12 MONTHS	or [] FISC.	AL YEA	AR (FYDATES	NO)
A. Did you provide services valued in excess of \$50,0						YES	NO	
11. Did you provide services valued in encess of \$50,0	00 directly to cu	stomers outside	your State? If no indi	cate actual va	lue			
\$	00 directly to cu	stomers outside	your State? If no, indi	cate actual va	lue.			
B. If you answered no to 9A, did you provide services	valued in exces	s of \$50,000 to c	ustomers in your State	who purchas				
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out	valued in exces	s of \$50,000 to c	ustomers in your State	who purchas				
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out provided. \$	s valued in excest tside your State?	s of \$50,000 to o	ustomers in your State he value of any such se	who purchaservices you	ed			
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out	s valued in excest tside your State? services valued i	s of \$50,000 to c If no, indicate t in excess of \$50,	ustomers in your State he value of any such so 000 to public utilities,	who purchaservices you transit system	ed us,			
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out provided. \$	s valued in excess tside your State? services valued i ations, commerc	is of \$50,000 to co. If no, indicate to in excess of \$50, ital buildings, edi	ustomers in your State he value of any such so 000 to public utilities, ucational institutions, o	who purchaservices you transit system or retail conce	ed us, ems?			
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out provided. \$ C. If you answered no to 9A and 9B, did you provide newspapers, health care institutions, broadcasting st If less than \$50,000, indicate amount. \$ D. Did you sell goods valued in excess of \$50,000 directions.	s valued in excess tside your State? services valued i ations, commerc	is of \$50,000 to co. If no, indicate to in excess of \$50, ital buildings, edi	ustomers in your State he value of any such so 000 to public utilities, ucational institutions, o	who purchaservices you transit system or retail conce	ed us, ems?			
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out provided. \$	s valued in excess tside your State? services valued i ations, commerce cetly to customers	is of \$50,000 to co. If no, indicate to in excess of \$50, ital buildings, educated outside	ustomers in your State he value of any such so 000 to public utilities, ucational institutions, o your State? If less than	who purchaservices you transit system or retail conce in \$50,000, inc	ed us, ems?			
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out provided. \$ C. If you answered no to 9A and 9B, did you provide newspapers, health care institutions, broadcasting st If less than \$50,000, indicate amount. \$ D. Did you sell goods valued in excess of \$50,000 directions.	s valued in excess tside your State? services valued is ations, commerce total to customers.	is of \$50,000 to co. If no, indicate to the excess of \$50, the indicate of \$50,000 directly to \$50,00	ustomers in your State he value of any such so 000 to public utilities, ucational institutions, o your State? If less that customers located insi	transit system or retail conce in \$50,000, inc	ed ss, ems?			
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out provided. \$	s valued in excess trained your State? services valued in ations, commerce to the control of the	is of \$50,000 to co. If no, indicate to in excess of \$50, and buildings, educated outside 0,000 directly to take the control of the control	ustomers in your State he value of any such so 000 to public utilities, ucational institutions, o your State? If less that customers located insi If less than \$50,000,	transit system or retail conce in \$50,000, inc de your State indicate amou	ed is, ems?			
B. If you answered no to 9A, did you provide services goods valued in excess of \$50,000 from directly out provided. \$ C. If you answered no to 9A and 9B, did you provide services in the services of \$50,000 from directly out provided. \$ Did you sell goods valued in excess of \$50,000 directly amount. \$ E. If you answered no to 9D, did you sell goods valued purchased other goods valued in excess of \$50,000 from the services of \$50,000 from the se	s valued in excess trained your State? services valued in ations, commerce to the control of the	is of \$50,000 to co. If no, indicate to in excess of \$50, and buildings, educated outside 0,000 directly to take the control of the control	ustomers in your State he value of any such so 000 to public utilities, ucational institutions, o your State? If less that customers located insi If less than \$50,000,	transit system or retail conce in \$50,000, inc de your State indicate amou	ed is, ems?			
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PRIVACY ACT STATEMENT

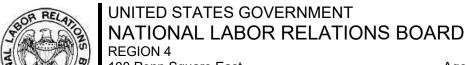
SIGNATURE

E-MAIL ADDRESS

DATE

NAME AND TITLE (Type or Print)

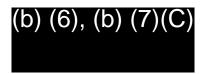
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



REGION 4 100 Penn Square East Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658

August 13, 2021



Re: International Longshoremen's Association

Local 1694 (GT USA Wilmington)

Case 04-CB-276323

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Longshoremen's Association Local 1694 has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges that Local 1694, International Longshoremen's Association (Local 1694) breached its duty of fair representation by refusing to process your discharge grievance to arbitration for arbitrary or discriminatory reasons or in bad faith in violation of Section 8(b)(1)(A) of the Act. The investigation disclosed that you were discharged because the Employer alleged that you were involved in a theft of fuel. Specifically, the investigation disclosed that you were assigned to operate and monitor the gas pumps when you permitted another employee, who was not authorized to take fuel on that particular day, to obtain fuel for personal vehicle. The Employer filed criminal charges against both of you for theft of fuel. Following your termination, you filed a grievance over your discharge with Local 1694-1. Local 1694-1 then processed your grievance and filed for arbitration. On or about March 12, 2021, the International Longshoremen's Association informed the members of Local 1694-1 that it was dissolving Local 1694-1 and you were merged into Local 1694. In late March 2021, Local 1694 informed you that it had decided not to take your grievance to arbitration. Although you allege that Local 1694 decided not to proceed to arbitration because you filed jurisdictional grievances in August 2020 claiming that the Employer was improperly assigning work to Local 1694 rather than to Local 1694-1, there was insufficient evidence that your protected activities motivated the decision not to proceed to arbitration. The investigation disclosed that the Local 1694 Executive Board voted not to proceed to arbitration on your grievance based on its belief that the Union would not prevail at arbitration. Local 1694 considered the facts that that you and the other employee involved were being criminally prosecuted and the other employee involved in the fuel

incident admitted that took the fuel when was not working. Finally, Local 1694 considered the Employer's past practice of not tolerating theft in another case.

A union is not required to process every grievance to arbitration, and the law permits the union to make reasonable judgments in this regard. *Humphrey v. Moore*, 375 U.S. 335 (1964); *Ford Motor Co. v. Huffman*, 345 U.S. 330, 338 (1953). The investigation disclosed insufficient evidence that Local 1694 refused to proceed to arbitration based on any arbitrary, discriminatory or bad faith considerations in violation of its duty of fair representation. *Vaca v. Sipes*, 386 U.S. 171 (1967). Accordingly, I am refusing to issue complaint in this matter.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See User Guide. A video demonstration which provides step-by-step instructions and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on Friday, August 27, 2021. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than Thursday, August 26, 2021. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before Friday, August 27, 2021.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after Friday, August 27, 2021, **even if**

it is postmarked or given to the delivery service before the due date. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

Thomas Goonan Regional Director

Enclosure

cc: William Ashe, President
International Longshoremen's Association
Local 1694
200 S. Claymont Street
Wilmington, DE 19801

Lance Geren, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut Street, Suite 600 Philadelphia, PA 19106

Mike Phillips GT USA Wilmington 1 Hausel Road Wilmington, DE 19801-5852

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001
Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in
Case Name(s).
Case No(s). (If more than one case number, include all case numbers in which appeal is taken.)
(Signature)

E-FILING TO APPEALS

- 1. **Extension of Time**: This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. **File an Appeal**: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
- 3. **Notice of Appearance**: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
- 4. **Correspondence**: Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 5. **Position Statement**: The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 6. **Withdrawal Request**: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.

• This document should be e-Filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.

	Extension of Time Request 1
+	File an Appeal 1
	Notice of Appearance 1
	Position Statement 6
+	Withdrawal Request 6
	Correspondence

7. The selections of **Evidence** or **Other** should no longer be used.



OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

August 31, 2021

(b) (6), (b) (7)(C)

Re: International Longshoremen's Association

Local 1694 (GT USA Wilmington)

Case 04-CB-276323

Dear (b) (6), (b) (7)(C):

We have received your timely appeal from the Region's decision in the above-captioned case. We will assign your appeal for processing in accordance with Agency procedures. Please be assured that our review of this matter will include a full analysis of the underlying investigatory file, your appeal, as well as current Board law and processes.

We will notify you and all involved parties of our decision by letter via email as permitted under Section 102.4(c) of the Board's Rules and Regulations. If an email address is not available for you, we will provide the decision by mail.

Sincerely,

Jennifer A. Abruzzo General Counsel

By:

Mark E. Arbesfeld, Director

Mark E. Alberteld

Office of Appeals

cc: THOMAS GOONAN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
100 E PENN SQ STE 403
PHILADELPHIA, PA 19107

LANCE GEREN, ESQ. O'DONOGHUE & O'DONOGHUE, LLP 325 CHESTNUT ST STE 600 PHILADELPHIA, PA 19106

WILLIAM ASHE, PRESIDENT INTERNATIONAL LONGSHOREMEN'S ASSOCIATION LOCAL 1694 200 S CLAYMONT ST WILMINGTON, DE 19801 MIKE PHILLIPS GT USA WILMINGTON 1 HAUSEL RD WILMINGTON, DE 19801-5852

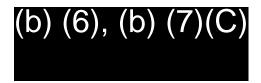
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OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

September 21, 2021



Re: International Longshoremen's Association

Local 1694 (GT USA Wilmington)

Case 04-CB-276323

Dear (b) (6), (b) (7)(C):

Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied substantially for the reasons in the Regional Director's letter of August 13, 2021.

The charge alleges that the International Longshoremen's Association Local 1694 (Union) breached its duty of fair representation by refusing to arbitrate a grievance, in violation of Section 8(b)(1)(A) of the National Labor Relations Act. In that regard, while a union owes employees a duty of fair representation over disputes arising with an employer, a union is also afforded a wide range of discretion in carrying out this duty and a breach occurs only when the union's conduct is based upon arbitrary, irrelevant or discriminatory considerations. See *Vaca v. Sipes*, 386 U.S. 171 (1967); *Ford Motor Co. v. Huffman*, 345 U.S. 330 (1953). The Board has also held that a union's representative's duties at the pre-arbitral stages of a grievance are not the same as the duty owed by an attorney to a client or the duty of a union to be an advocate once an arbitration hearing starts. See, e.g., *Service Employees Local 579 (Convacare of Decatur)*, 229 NLRB 692 fn. 2 (1977).

We determined that the evidence disclosed by the investigation did not indicate that the Union handled your grievance in an arbitrary or discriminatory manner in violation of the Act. The evidence establishes that following your termination, Local 1694-1 processed your grievance. The Employer denied your grievance at Step 3, and Local 1694-1 filed for arbitration. However, on or about March 11, 2021—prior to the scheduled arbitration date, the International Longshoremen's Association dissolved Local 1694-1 and merged its members into the Charged Party Union. On or about March 18, 2021, the Union's Executive Board considered the facts underlying your grievance and voted not to arbitrate based on its good faith belief that it would not be successful. The Union subsequently informed you of its decision. While you may assert that the Union decided not to arbitrate because you filed jurisdictional grievances against the Union when you were still a Local 1694-1 member, there was insufficient evidence to establish that such protected activities motivated the Union's decision not to proceed to arbitration.

Rather, the evidence indicates that the Union's decision relied on the Employer's past practice of disciplining employees under similar circumstances. More importantly, such decision fell within the Union's wide range of discretion in carrying out its representational duty, which the Union properly exercised as your grievance was still at the pre-arbitral stage. Given these overall circumstances, we determined that the Union did not breach its duty of fair representation.

Accordingly, the appeal is denied.

Sincerely,

Jennifer A. Abruzzo General Counsel

By:

Mark E. Arbesfeld, Director Office of Appeals

Mark E. Alberteld

cc: THOMAS GOONAN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
100 E PENN SQUARE
STE 403
PHILADELPHIA, PA 19107

LANCE GEREN, ESQ. O'DONOGHUE & O'DONOGHUE, LLP 325 CHESTNUT ST STE 600 PHILADELPHIA, PA 19106

WILLIAM ASHE, PRESIDENT INTERNATIONAL LONGSHOREMEN'S ASSOCIATION LOCAL 1694 200 S CLAYMONT ST WILMINGTON, DE 19801 MIKE PHILLIPS GT USA WILMINGTON 1 HAUSEL RD WILMINGTON, DE 19801-5852

UNITED STATES OF AMERICA		DO NO	T WRITE IN T	U SCHAGE
NATIONAL LABOR RELATIONS BOAR	RD	Case	De file	
CHARGE AGAINST LABOR ORGANIZATIO AGENTS		04-CB-280810	8/2	2/21
INSTRUCTIONS: File an original of this charge with a occurred or is occurring.	the NLRB Regional D	Prector of the region in	which the alleg	je unfair labor practice
1. LABOR ORGANIZATIO				
a, Name		b. Union Representati William Ashe Jr:	ve to Contact	
ILA and its Locals 1694, 1883 and 1884			Presiden - L b) (7)	C)
c. Address		d. Tel. No.	~ / (· / ·	
200 S. Claymont Street, Wilmington, DE 198	801	J. 12, 140.	e.e. Cei	N L
		f. Fax No.	g. « Mai	
h. The above-named labor organization or its agents ha	ve engaged in and are	engaging in unfair labor :	ractices v thin	th meaning of section
2. Basis of the Charge (set forth a clear and concine stat	executing commissible was	thin the meaning of the Ac	t and the Posts	eorganization Act.
Since about (0) (6), (b) (7)(c) 2021, the above-name	ned labor organiza	ation has restrained a	and coerced	e intovoce in the
exercise of rights protected by Section 7 of t	te Act by operating	na a hirina hall in a m	and cooper	e proyecta in the
discriminatory or in bad faith by not being wi	lling to refer (b) (6), (b) (7)(C) _{for} (b) (6). (b) (7)(C)	ve , ardinary, (b) (6), (b) (7)(C)
because of personal animosity by	the Union anging	(b) (6), (b) (7		
Since about 2021 the above-name	ed Jahor organiza	tion has attameted t		a word OTHOLE
not to use (b) (6), (b) (7)(C)(b) (6), (b) (7)(C) work	and (b) (6), (b)	7(C) for reasons of	o causer and	Caused G1 USA to
uniformly required initiation fees and periodic	c dues.	· A Phot reasons of	ner mar me	ti nure to tender
3. Name of Employer		4a. Tel. No.	4b. četi	Va
GT USA Wilmington, LLC		(302) 494-9797	10.	***
		4c, Fax No.	4dMa	1
Location of Plant involved (street, city, state, and ZIP of	ode)	6. Employer representat		
1 Hausel Road, Wilmington, DE 19801		Tiffany Wiggin	is: Human R	es urces
7. Type of Establishment (factory, mine, wholesaler)	8. Principal product	or service	9. Nambe	er f Workers employed
Dock	Dock work		200	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	11b Cell	N , (b) (7)(C)
		(b) (6), (b) (7)(C)		
		11c. Fax No.	(b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and 2 (b) (6), (b) (7)(C)	TP code)	-		
	12. DECLARAT	ION		
I declare that I have read the above charge and	that the statements	therein are true to the b	est of my know	vi. ige and belief.
(b) (6), (b) (7)(C)			Tel No.	
By:	(b) (6), (b)		{	(b) (7)(C)
(signature or representative or person making charge)	Print/type nam	ie and title or office, if any	(b) (6)	(b) (7)(C)
Address:		Date;	Fax Io.	
(b) (6), (b) (7)(C)				
		7-28-2	e-Ma	5), (b) (7)(C)
			/ (D) (C), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CO. E, TILLE 18, SECTION 1001)

PRIVACY ACT STATEMENT
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The cincipa use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routie cuses in the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

United States of America		Do Not Write In This Spa	e	
National Labor Relations Board	Case	Date Filed		·
Charge Against Labor Organization Or It's Agents				
Instructions: File an original of this charge with the practice occurred or is occurring.	NERB Regional Directo	r of the region in which the a	legad	ofair labor

1. LABOR ORGANIZATIONS OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name:

ILA and it's Locals, 1694, 1883, and 1884

b. Union Representatives to Contact:

William Asho Jr: President - Loc | 11694

(b) (6), (b) (7)(C)

c. Address:

200 S. Claymont Street, Wilmington, DE, 19801

d. Tel No: f. Fax No: e. (ell No:

g. r nail:

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unlike labor practices within the meaning of section 8(b), subsections(s) (1) (A) and (2) of the National Labor telations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of Charge

(b) (6), (b) (7)(C) would like to bring charges to the above-named organizations for unfaitabor tractices. As of March 11th, 2021, 1694-1 has been dissolved, and there is a merger by the ILA executive placin; its members into 1694, 1883, and 1884, as they have the right to do so under Article 12, Section 4 of the ILA Co stitution. The terms of the merger were not followed, as it stated that laborers should be placed into the Ilabor un on and checkers into the checker union, and everyone else into 1694, including (b) (6), (b) (7)(C) Under the Constitution, Article 18, Section 2 gives sole rights to the executive body to give directives if the way a merger or trusteeship should be executed, which did not occur as follows, due to unfair labor practices by 16-4, 1883, and

has a letter from (b) (6), (b) (7)(C) 16th, 2021, giving the right to contest position as a laborer	a timely fashion. spons : was to give
3. Name of Employer:	4a. Tel No: 4 . Cell No:
GT USA Wilmington, LLC	302-494-9797 4 e-Mail:
5. Location of plant involved: 1 Hausel Road, Wilmington, D£ 19801	6. Employer Represent tive to Contact: Tiffany Wigg ns - H man Resources
7. Type of Establishment:	8. Identify principal product or service:
Dack	lock V ork
9. Number of Workers Employed; 200	10. Full name of the party filing charge: (b) (6), (b) (7)(C)
11. Address of party filing charge;	11a. Tel No ^{(b) (6), (b) (7)(C)}
(b) (6), (b) (7)(C) 12. DECLARATION	11b. e-Mail: (b) (6), (b) (7)(C)
I declare that I have read the above charge and that the statements therein	Tel No :
Are (b) (6), (b) (7)(c) nowledge and belief. (b) (6), (b) (7)(c) nowledge and belief. (b) (6), (b) (7)(c) nowledge and belief.	Cell No: (b) (6), (b) (7)(C) Email: (b) (6), (b) (7)(C)
(signature of person making the charge) (print/type name) Address: (b) (6), (b) (7)(C) Date: $\frac{728-2}{2}$	1



ARD

Agency Website: www.nlrb.gov
Telephone: (215)597-7601

Download
NLRB

Mobile App

REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

August 4, 2021

William Ashe, President ILA and its Local 1694, 1883 and 1884 20 South Clement Street Wilmington, DE 19801

Re: ILA and its Locals 1694,1883 and 1884 (GT

Fax: (215)597-7658

USA Wilmington, LLC) Case 04-CB-280810

Dear Mr. Ashe:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence:</u> All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosure: Copy of Charge

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

ILA AND ITS LOCALS 1694,1883 AND 1884 (GT USA WILMINGTON, LLC) Charged Party and (b) (6), (b) (7)(C) Charging Party	Case 04-CB-280810
AFFIDAVIT OF SERVICE OF CHARGE AGAIN I, the undersigned employee of the National Labor Re	
August 4, 2021, I served the above-entitled document following persons, addressed to them at the following	(s) by post-paid regular mail upon the
William Ashe, President ILA and its Local 1694, 1883 and 1884 20 South Clement Street Wilmington, DE 19801	
August 4, 2021	Jane Peterson, Designated Agent of NLRB
Date	Name

/s/ Jane Peterson

Signature



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



August 4, 2021



REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: ILA and its Locals 1694,1883 and 1884 (GT USA Wilmington, LLC)

Case 04-CB-280810

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on August 02, 2021 has been docketed as case number 04-CB-280810. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thoras Govan

Thomas Goonan Regional Director



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107





August 4, 2021

Tiffany Wiggins, Human Resources GT USA Wilmington, LLC 1 Hausel Road Wilmington, DE 19801

Re: ILA and its Locals 1694,1883 and 1884 (GT

USA Wilmington, LLC) Case 04-CB-280810

Dear Ms. Wiggins:

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If this Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosures

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 NATIONAL LABOR RELATIONS BOARD (3-11)							
QUESTIONNAIRE ON COMMERCE INFORMATION							
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.							
CASE NAME CASE NUMBER							
04-CB-280810							
1. EXACT LEGAL TITLE OF ENTITY (As filed w	rith State and/or	stated in legal o	locuments forming en	tity)			
2. TYPE OF ENTITY							
[] CORPORATION [] LLC [] LLP [] PARTNERSHI	IP [] SOLE	PROPRIETORSHIP	[] OTH	ER (Spec	rify)	
3. IF A CORPORATION or LLC	-						
A. STATE OF INCORPORATION	B. NAME, AI	DDRESS, AND I	RELATIONSHIP (e.g.	parent, subsi	idiary) O	F ALL RELATED E	NTITIES
OR FORMATION							
A TEANILO OF ANY TYPE OF BARTHERSHI		AND ADDDE	OC OF ALL MEMBER	30 OD D 1 D	THERE		
4. IF AN LLC OR ANY TYPE OF PARTNERSHI	P, FULL NAME	AND ADDRES	SS OF ALL MEMBER	KS OK PAK	TNERS		
5. IF A SOLE PROPRIETORSHIP, FULL NAME	AND ADDRES	S OF PROPRIE	TOR				
6. BRIEFLY DESCRIBE THE NATURE OF YOU	R OPERATION	NS (Products har	dled or manufactured,	or nature of	f services _.	performed).	
7A. PRINCIPAL LOCATION:		ZD DDANGE	LOCATIONS:				
/A. FRINCIPAL LOCATION:		/B. BRANCE	LUCATIONS:				
8. NUMBER OF PEOPLE PRESENTLY EMPLO	YED						
A. TOTAL:	B. AT THE A	DDRESS INVO	LVED IN THIS MATT	ER:			
					AT VEA	1	
1 9. DURING THE MOST RECENT (Check the app	ropriate box): 1	I CALENDAR	I IIZ MONTHS	or [] FISC		K (FY DATES	,
9. DURING THE MOST RECENT (Check the app.	ropriate box): [CALENDAR	[]12 MONTHS	or [] FISC	AL IEA	YES	NO
A. Did you provide services valued in excess of \$50,0						•	NO
A. Did you provide services valued in excess of \$50,0	000 directly to cus	stomers outside	your State? If no, indica	ate actual va	ilue.	•	NO
A. Did you provide services valued in excess of \$50,0 \$ B. If you answered no to 9A, did you provide service	000 directly to cus	stomers outside y	your State? If no, indicaustomers in your State	ate actual va	ilue.	•	NO
A. Did you provide services valued in excess of \$50,0	000 directly to cus	stomers outside y	your State? If no, indicaustomers in your State	ate actual va	ilue.	•	NO
A. Did you provide services valued in excess of \$50,0 \$	000 directly to custs valued in excess stride your State?	stomers outside y s of \$50,000 to c If no, indicate the excess of \$50,000 to c	your State? If no, indicaustomers in your State value of any such ser	who purchas	slue.	•	NO
A. Did you provide services valued in excess of \$50,0 \$	000 directly to custs valued in excess stride your State?	stomers outside y s of \$50,000 to c If no, indicate the excess of \$50,000 to c	your State? If no, indicaustomers in your State value of any such ser	who purchas	slue.	•	NO
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A. Did you provide services valued in excess of \$50,0 \$	on of the second source of the second source of the second	s of \$50,000 to c If no, indicate the excess of \$50,000 in excess of \$50,000 in buildings, edu	your State? If no, indicaustomers in your State on the value of any such service to public utilities, tracational institutions, or	who purchas who purchas rvices you ransit system	sed as, ems?	•	NO
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PRIVACY ACT STATEMENT

SIGNATURE

NAME AND TITLE (Type or Print)

E-MAIL ADDRESS

DATE

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

Charge Against Labor Organization Or		
Instructions: File an original of this charge with the	NLRB Regional Director of the 1	region in which the alleged unfair

1. LABOR ORGANIZATIONS OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name:

ILA and it's Locals, 1694, 1883, and 1884

b. Union Representatives to Contact:

William Ashe Jr: President - Local 1694

(b) (6), (b) (7)(C)

c. Address:

200 S. Claymont Street, Wilmington, DE, 19801

d. Tel No:

e. Cell No:

f. Fax No:

g. email:

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsections(s) (1) (A) and (2) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of Charge

(b) (6), (b) (7)(C) would like to bring charges to the above-named organizations for unfair labor practices. As of March 11th, 2021, 1694-1 has been dissolved, and there is a merger by the ILA executive, placing its members into 1694, 1883, and 1884, as they have the right to do so under Article 12, Section 4 of the ILA Constitution. The terms of the merger were not followed, as it stated that laborers should be placed into the labor union and checkers into the checker union, and everyone else into 1694, including (b) (6), (b) (7)(C) Under the Constitution, Article 18, Section 2 gives sole rights to the executive body to give directives in the way a merger or

trusteeship should be executed, which did not occur as follows, due to unfair lal694.ph283.jaes by 1884, which denied the right to be in the local of craft, which the executive board requested has a letter from (b) (6), (b) (7)(C) dated March 16th, 2021, giving the right to contest position as a laborer, as (b) (6), (b) (7)(C), along with two letters wrote back to (b) (6), (b) (7)(C) which replied to in a timely fashion. response was to give permission to investigate (b) (6), (b) (7)(C) complaint, but (b) (6), (b) (7)(C) has not received a response from (b) (6), (b) (7)(C) and the situation remains unchanged.

Remedy: To place into the union of my craft as [6) (6) (7)(C), which is 1694, and also to get my PMIAunion card that I have never received, which was promised to me by the merger. I would also like to get my retirement benefits paid into by GF-USA, as of 2018, I have not received a raise or any form of retirement benefits. I would also want them to give me my equal work, equal pay, and equal benefits which I won at the District Council Hearing on November 7th, 2018, but never received it to this day. I would like to receive the same benefits that the 1694 members are getting which are health benefits, annuity, vacation based on my seniority of 16 years, and my freedom of movement to work whenever and wherever I want. I would also want to continue working as a [6) (6), (b) (7)(C) in 1694, without being prejudiced against or kicked out of the hiring hall for trying to get a job as a (b) (6), (b) (7)(C) and without being told to throw away my casual card.

3. Name of Employer:

GTUSA Wilmington, LLC

5. Location of plant involved:

1 Hausel Road, Wilmington, DE 19801

7. Type of Establishment:

Dock

9. Number of Workers Employed;

200

11. Address of party filing charge;

(b) (6), (b) (7)(C)

4a. Tel No: 4b. Cell No:

302-494-9797 4c. e-Mail:

6. Employer Representative to Contact:Tiffany Wiggins - Human Resources

8. Identify principal product or service:

Dock Work

10. Full name of the party filing charge:

(b) (6), (b) (7)(C)

11a. Tel No : (b) (6), (b) (7)(C)

11b. e-Mail: (b) (6), (b) (7)(C)

12. DECLARATION

Cell No: $^{(b)}$ $^{(b)}$ $^{(b)}$ $^{(b)}$ $^{(7)}$ $^{(C)}$
Email: (b) (6), (b) $(7)(C)$

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE		
NATIONAL LABOR RELATIONS BOARD	D	Case	Date filed	
Amended CHARGE AGAINST LABO	R	04-CB-280810	A.	
ORGANIZATION OR ITS AGENTS				
INSTRUCTIONS: File an original of this charge with the	ne NLRB Regional Di	rector of the region in w	nich the alleged unfair labor practice	
occurred or is occurring.				
1. LABOR ORGANIZATION	OR ITS AGENTS AGA	INST WHICH CHARGE IS	BROUGHT	
a. Name		 b. Union Representativ 	e to Contact	
ILA and its Local 1694, 1883 and 1884		William Ashe		
		President of Loca	I 1694 and Vice President of ILA	
		(International)		
			(b) (7) (0)	
		(0)(0)	(b) (7)(C)	
		(5) (5),	$(\mathbf{S})(\mathbf{I})(\mathbf{S})$	
		Stenhen Knott S	ecretary Treasurer (International)	
		Otophon Knott, O	objectivy from the first factorially	
		. =	To a Collins	
c. Address for Locals 1694, 1883 and 1884:		d. Tel. No.	e Cell No (b) (6), (b) (7)(C)	
20 South Clement Street, Wilmington, DE 19	9801			
		f. Fax No.	g. e-Mail	
Address for International Longshoremen's Association:				
5000 West Side Avenue, Suite 300, North B	Bergen, NJ07047			
h The above-named labor organization or its agents have	ve engaged in and are	engaging in unfair labor p	ractices within the meaning of section	
8(b), subsection(s)(1)(A), (2) of the National Labor Re	elations Act, and these	unfair labor practices are	unfair practices affecting commerce	
within the meaning of the Act, or are unfair practices a	iffecting commerce wit	hin the meaning of the Ac	t and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise state	ement of the facts con	stituting the allegedunfair	labor practices)	
Since on or about (b)(6), (b)(7)(C) 2021, the above	ve-named labor or	ganizations have res	trained and coerced employees	
in the exercise of rights protected by Section	7 of the Act by o	perating a hiring hall	in a manner that was arbitrary.	
discriminatory or in bad faith by not being wi	illing to refer (b) (6). (b) (7)(C) _{for} (b) (6)	(b) (7)(C) and (b) (6), (b) (7)(C)	
discriminatory or in bad faith by not being wi	lilling to refer	// (3/ (3/ (3/ (3/	, (b) (i // O) allu	
(b) (6), (b) (7)(C) because of personal animosity by Since about (b) (6), (b) (7)(C) 2021, the above name	y the Union agains	st him.		
Since about (b) (6), (b) (7)(C) 2021, the above name	ned labor organiza	tion has attempted to	cause and caused GT USA to	
not use (b) (6), (b) (7)(C) _{for} (b) (6), (b) (7)(C	2) _{and} (b) (6) (b)	(7)(C) for reasons of	ther then the failure to tender	
		(1)(O) for reasons of	ille than the failule to tender	
uniformly required initiation fees and periodi	c dues.			
3. Name of Employer		4a. Tel. No.	4b. Cell No.	
GT USA Wilmington, LLC	í			
		4c. Fax No.	4d. e-Mail	
5. Location of Plant involved (street, city, state, and ZIP of	ode)	6. Employer representative to contact		
	,	Tiffany Miggins H	uman Pesources	
1 Hausel Road, Wilmington, DE 19801	0 Dringing Invaduat	Tiffany Wiggins H	9. Number of Workers employed	
7. Type of Establishment (factory, mine, wholesaler)	8. Principal product	or service	a. Number of workers employed	
Port	Port services			
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	11b Call No (b) (6), (b) (7)(C)	
(b) (b), (b) (7)(C)		(b) (6), (b) (7)(C)	(b) (b), (b) (7)(C)	
			11d e-Mail	
	1	11c. Fax No.		
			(b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and 2				
(b) (6), (b) (7)(C)	ZIP code)			
	ZIP code)			
	12 DECLARAT	ION		
	12 DECLARAT	ION		
(b) (6) (b) (7)(c) the above charge and	12 DECLARAT	ION therein are true to the be		
(b) (6), (b) (7)(C) the above charge and	12 DECLARAT	ION therein are true to the be		
—(b) (6), (b) (7)(C) the above charge and	12 DECLARAT	ION therein are true to the be		
	12 DECLARAT	ION therein are true to the be	st of my knowledge and belief. Tel No.	
(b) (6), (b) (7)(C) the above charge and	12. DECLARAT	therein are true to the be		
Ву:	12. DECLARATION of that the statements (b) (6), (b) (6), (b)	therein are true to the be	st of my knowledge and belief. Tel No. (b) (6), (b) (7)(C)	
	12. DECLARATION of that the statements (b) (6), (b) (6), (b)	therein are true to the be	st of my knowledge and belief. Tel No. (b) (6), (b) (7)(C)	
By: (signature or representative or person making charge)	12. DECLARATION of that the statements (b) (6), (b) (6), (b)	(7)(C)	st of my knowledge and belief. Tel No. (b) (6), (b) (7)(C) Cell No. (b) (6), (b) (7)(C)	
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ву:	12. DECLARATION of that the statements (b) (6), (b) (6), (b)	7)(C) ne and title or office, if any Date:	st of my knowledge and belief. Tel No. (b) (6), (b) (7)(C) Cell No. (b) (6), (b) (7)(C) Fax No.	
By: (signature or representative or person making charge)	12. DECLARATION of that the statements (b) (6), (b) (6), (b)	(7)(C)	st of my knowledge and belief. Tel No. (b) (6), (b) (7)(C) Cell No. (b) (6), (b) (7)(C)	

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE		
NATIONAL LABOR RELATIONS BOARD	Ca	se	Date filed	
Amended CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		I-CB-280810	9-21-21	
INSTRUCTIONS: File an original of this charge with the NI	LRB Regional Direct	or of the region in whic	h the alleged unfair labor practice	
occurred or is occurring. 1. LABOR ORGANIZATION OR	ITS AGENTS AGAINST	WHICH CHARGE IS BR	OUGHT	
a. Name ILA and its Local 1694, 1883 and 1884	b.	Union Representative to William Ashe		
ILA and its Local 1054, 1000 and 1004			1694 and Vice President of ILA	
	1 —	(International)		
			(b) (7)(C) retary Treasurer (International)	
	`	Stephen Knott, Sec		
c. Address for Locals 1694, 1883 and 1884: 20 South Clement Street, Wilmington, DE 1980		Tel. No.	e(b)(6),(b)(7)(C)	
		Fax No.	g. e-Mail	
Address for International Longshoremen's Association: 5000 West Side Avenue, Suite 300, North Berge	en. NJ07047			
h. The above-named labor organization or its agents have en 8(b), subsection(s) (1)(A), (2) of the National Labor Relation within the meaning of the Act or are unfair practices affect	ngaged in and are eng ons Act, and these unf ing commerce within t	air labor practices are un he meaning of the Act a	Ifair practices affecting commerce nd the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statemer	nt of the facts constitu	ting the allegedunfairlat	por practices)	
Since on or about (b) (6), (b) (7)(C) 2021, the above-n				
in the exercise of rights protected by Section 7 of discriminatory or in bad faith by not being willing	of the Act by operation to refer (b) (6)	ating a hiring hall in	a manner that was arbitrary,	
(b) (6), (b) (7)(C) because of personal animosity by the	o linion against hi	m	allu	
Since about (b) (6), (b) (7)(c) 2021, the above named	labor organization	n has attempted to c	ause and caused GT USA to	
not use (b) (6), (b) (7)(C) or (b) (6), (b) (7)(C) ar	nd (b) (6), (b) (7)	(C) for reasons other	er than the failure to tender	
uniformly required initiation fees and periodic du				
Name of Employer GT USA Wilmington, LLC		. Tel. No.	4b. Cell No.	
S 7 OOA VVIIIIIIIIgtori, LLO	4c.	Fax No.	4d. e-Mail	
5. Location of Plant involved (street, city, state, and ZIP code)	6.1	6. Employer representative to contact		
1 Hausel Road, Wilmington, DE 19801		Tiffany Wiggins Hur		
, , ,	Principal product or s	ervice	Number of Workers employed	
Port 10. Full name of party filing charge	Port services	a. Tel. No.	14b Coll No	
(b) (6), (b) (7)(C)	(k	o) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
		c. Fax No.	(b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP co	ode)			
_(b) (6), (b) (7)(C)	12. DECLARATION			
(b) (6), (b) (7)(C) the above charge and that	the statements there	ein are true to the best	of my knowledge and belief.	
Ву:	(b) (6), (b) (7		(b) (6), (b) (7)(C)	
(signature or representative or person making charge)	Print/type name a	nd title or office, if any	(b) (6), (b) (7)(C)	
Address:	and the same of th	Date:	Fax No.	
$(b)^{Address:}$ (b) (7)(C)		9/20/2021	e-Mail	
			(b) (6), (b) (7)(C)	

Charge Against Labor Organization Or		
Instructions: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair		

1. LABOR ORGANIZATIONS OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name:

ILA and it's Locals, 1694, 1883, and 1884

b. Union Representatives to Contact:

William Ashe Jr: President - Local 1694

c. Address:

200 S. Claymont Street, Wilmington, DE, 19801

d. Tel No:

e. Cell No:

f. Fax No:

g. email:

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices—within the meaning of section 8(b), subsections(s)(1) (A) and (2) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices—are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of Charge

(b) (6), (b) (7)(C) would like to bring charges to the above-named organizations for unfair labor practices. As of March 11th, 2021, 1694-1 has been dissolved, and there is a merger by the ILA executive, placing its members into 1694, 1883, and 1884, as they have the right to do so under Article 12, Section 4 of the ILA Constitution. The terms of the merger were not followed, as it stated that laborers should be placed into the labor union and checkers into the checker union, and everyone else into 1694, including (b) (6), (b) (7)(C) Under the Constitution, Article 18, Section 2 gives sole rights to the executive body to give directives in the way a merger or

trusteeship should be executed, which did not occur as follows, due to unfair labor practices by 1694, 1883, and 1884, which denied the right to be in the local of craft, which the executive board requested. The right to be in the local of craft, which the executive board requested. The right to contest position as a laborer, as (b) (6), (b) (7)(c), along with two letters wrote back to (b) (6), (b) (7)(c) which replied to in a timely fashion. The response was to give permission to investigate (b) (6), (b) (7)(c) complaint, but and the situation remains unchanged.

Remedy: To place into the union of my craft as an which is 1694, and also to get my PMTA union card that I have never received, which was promised to me by the merger. I would also like to get my retirement benefits paid into by GT-USA, as of 2018, I have not received a raise or any form of retirement benefits. I would also want them to give me my equal work, equal pay, and equal benefits which I won at the District Council Hearing on November 7th, 2018, but never received it to this day. I would like to receive the same benefits that the 1694 members are getting which are health benefits, annuity, vacation based on my seniority of 16 years, and my freedom of movement to work whenever and wherever I want. I would also want to continue working as a (b) (6), (b) (7)(C) in 1694, without being prejudiced against or kicked out of the hiring hall for trying to get a job as a (b), (6), (b), (7)(C) and without being told to throw away my casual card.

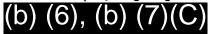
- 3. Name of Employer:
- GT USA Wilmington, LLC
- 5. Location of plant involved:
- 1 Hausel Road, Wilmington, DE 19801
- 7. Type of Establishment:

Dock

9. Number of Workers Employed;

200

11. Address of party filing charge;



4a. Tel No: 4b. Cell No:

302-494-9797 4c. e-Mail:

- 6. Employer Representative to Contact: Tiffany Wiggins - Human Resources
- 8. Identify principal product or service:

 Dock Work
- 10. Full name of the party filing charge:

(b) (6), (b) (7)(C)

11a. Tel No : (b) (6), (b) (7)(C)

11b. e-Mail: (b) (6), (b) (7)(C)



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Download NLRB Mobile App

September 22, 2021

Stephen Knott, Secretary-Treasurer International Longshoremen's Association 5000 West Side Ave. Suite 300 North Bergen, NJ 07047

Re: ILA and its Locals 1694,1883 and 1884 (GT

USA Wilmington, LLC) Case 04-CB-280810

Dear Mr. Knott:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If the agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn

statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosure: Copy of first amended charge

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ILA AND ITS LOCALS 1694,1883 AND 1884 (GT USA WILMINGTON, LLC)			
Charged Party	Case 04-CB-280810		
and			
(b) (6), (b) (7)(C)			
Charging Party			
AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION			
I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on September 22, 2021, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:			
Stephen Knott, Secretary-Treasurer International Longshoremen's Association 5000 West Side Ave. Suite 300 North Bergen, NJ 07047			
September 22, 2021 Date	Janet Jackson, Designated Agent of NLRB Name		
_/s	/ Janet Jackson Signature		
	Signature		



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107



Download NLRB Mobile App

September 22, 2021

Tiffany Wiggins, Human Resources GT USA Wilmington, LLC 1 Hausel Road Wilmington, DE 19801

Re: ILA and its Locals 1694,1883 and 1884 (GT

Agency Website: www.nlrb.gov

Telephone: (215)597-7601

Fax: (215)597-7658

USA Wilmington, LLC) Case 04-CB-280810

Dear Ms. Wiggins:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If the Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, if the Board agent asks you for evidence with respect to the allegations in the first amended charge, I urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

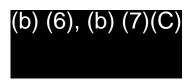
Thomas Goonan

Thomas Goonan Regional Director

Enclosure: Copy of first amended charge

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Download NLRB Mobile App

September 22, 2021



REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: ILA and its Locals 1694,1883 and 1884 (GT

USA Wilmington, LLC) Case 04-CB-280810

Dear (b) (6), (b) (7)(C):

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If the agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Very truly yours,

Thomas Goom

Thomas Goonan Regional Director



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Download NLRB Mobile App

September 22, 2021

(b) (6), (b) (7)(C)

ILA, Local 1883 200 S. Claymont St. Wilmington, DE 19801

(b) (6), (b) (7)(C)

ILA, Local 1884 100 S Claymont St Wilmington, DE 19801

William Ashe, Pres. Local 1694 and VP ILA ILA Local 1694 200 S Claymont St. Wilmington, DE 19801

Re: ILA and its Locals 1694,1883 and 1884 (GT

USA Wilmington, LLC) Case 04-CB-280810

Dear Mr. Knott:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If the agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

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Very truly yours,
Thomas Goom

Thomas Goonan Regional Director

Enclosure: Copy of first amended charge

Lance Geren Esquire
Daniel J. Keenan, Esquire
O'Donoghue & O'Donoghue, LLP
325 Chestnut St Ste 600
Philadelphia, PA 19106

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

ILA AND ITS LOCALS	1694,1883	AND	1884	(GT	USA
WILMINGTON, LLC)					

Charged Party

and

Case 04-CB-280810

(b) (6), (b) (7)(C)

Charging Party

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **September 22, 2021,** I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

ILA, Local 1883 200 S. Claymont St. Wilmington, DE 19801

(b) (6), (b) (7)(C)

ILA, Local 1884 100 S Claymont St Wilmington, DE 19801

William Ashe, Pres. Local 1694 and VP ILA ILA Local 1694 200 S Claymont St. Wilmington, DE 19801

Lance Geren Esquire Daniel J. Keenan, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut St Ste 600 Philadelphia, PA 19106

September 22, 2021	Janet Jackson, Designated Agent of NLRB
Date	Name
	(() , , , , , , , , , , , , , , , , ,
	/s/ Janet Jackson

Signature



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107



Download NLRB Mobile App

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658

September 23, 2021

(b) (6), (b) (7)(C)

ILA, Local 1883 200 S. Claymont St. Wilmington, DE 19801

(b) (6), (b) (7)(C) Local 1884

CORRECTED

ILA, Local 1884 200 S Claymont St Wilmington, DE 19801

Stephen Knott, Secretary-Treasurer International Longshoremen's Association 5000 West Side Ave. Suite 300 North Bergen, NJ 07047

William Ashe, Pres. Local 1694 and VP ILA ILA Local 1694 200 S Claymont St. Wilmington, DE 19801

Re: ILA and its Locals 1694,1883 and 1884 (GT

USA Wilmington, LLC) Case 04-CB-280810

Gentlemen:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If the agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

ILA and its Locals 1694,1883 and 1884 (GT - 2 - USA Wilmington, LLC)
Case 04-CB-280810

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Thomas Goonan

Thomas Goonan Regional Director

Enclosure: Copy of first amended charge

ILA and its Locals 1694,1883 and 1884 (GT - 3 - USA Wilmington, LLC)
Case 04-CB-280810

cc: Lance Geren, Attorney
O'Donoghue & O'Donoghue, LLP
325 Chestnut St Ste 600
Philadelphia, PA 19106

Daniel J. Keenan, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut Street, Suite 600 Philadelphia, PA 19106

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ILA AND ITS LOCALS 1694,1883 AND 1884 (GT USA WILMINGTON, LLC)

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 04-CB-280810

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **September 23, 2021,** I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

ILA, Local 1883 200 S. Claymont St. Wilmington, DE 19801

Lance Geren, ESQ., Attorney O'Donoghue & O'Donoghue, LLP 325 Chestnut St Ste 600 Philadelphia, PA 19106

Daniel J. Keenan, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut Street, Suite 600 Philadelphia, PA 19106

(b) (6), (b) (7)(C), Local 1884 ILA, Local 1884

200 S Claymont St Wilmington, DE 19801 Stephen Knott, Secretary-Treasurer International Longshoremen's Association 5000 West Side Ave. Suite 300 North Bergen, NJ 07047

William Ashe, Pres. Local 1694 and VP ILA ILA Local 1694 200 S Claymont St. Wilmington, DE 19801

Date

,

September 23, 2021

James Kaminski, Designated Agent of NLRB

Name

/s/ James Kaminski

Signature

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD 2nd Amended CHARGE AGAINST LABOR ORGANIZATION **OR ITS AGENTS**

	DO NOT WRITE IN	THIS SPACE	
Case 04	-CB-280810	Date Filed 3/28/22	

INSTRUCTIONS: File an original with NLRB Regional Director for				s occurring.
1. LABOR ORGANIZATION OR	ITS AGENTS	AGAINST WHICH CHAP		
a. Name			b. Union Representativ	e to contact
ILA and its Local 1694 ,1883 and 1884				
, , , , , , , , , , , , , , , , , , , ,		resentative to Contact	d. Tel. No.	e. Cell No.
200 South Claymont St, William (b) (6), (b)		lent of Local 1694	(b) (6), (b) (7)(C)	
Wilmington, DE, 19801 (b) (6), (b)) (7)(C)		f. Fax. No.	
(b) (6)	(b) (7)	retary Treasurer		
Address of International Longshoremen Association: 5000 West Side Avenue, Suite 300, North Bergen, NJ			g. e-mail	
h. The above-named labor organization has engaged in and is eng	aging in unfai	ir labor practices within th	ne meaning of section 8(b)	and (list subsections)
subsection (1)(A),(2)		of the Natio	onal Labor Relations Act, a	and these unfair labor
practices are practices affecting commerce within the meaning of	of the Act, or t	hese unfair labor practice	es are practices affecting of	commerce within the
meaning of the Act and the Postal Reorganization Act.				
2. Basis of the Charge (set forth a clear and concise statement of t				
Since on or about (b) (b) (7)(c) 2021, the above-named labor organize	ations have re	estrained and coerced em	ployees in the exercise of	rights protected by
section 7 of the Act., by operating a hiring hall in a manner that was (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) because of personal animoproganization has attempted to cause and caused GT-USA to not us	osity by the ur	nion against (b) (c) (c) (d)	bout (b) (6), (b) (7)(C) 2021, the	e above named labor
railure to tend to uniformly required initiation fees and periodic dues		(r)(C)(O) (O), (D) (r)(C)and (b) (6), (b) (7)(C)	or reasons other than the
failure to tend to uniformly required initiation fees and periodic dues on (b)(1,0)(2)(2)(b) (6), (b) (7)(C) has been barred from working a by local 1694 (b) (6), (b) (7)(C) as security was called by the (b) (6), (b)	at his job with) (7)(C)to have	GT-USA and the Delawa (b) (b) (b) (7)(c) removed from	re River Stevedores (DRS n the port. This violates the) under PMTA unlawfully letter I received from
the (b) (c) (7)(c) which I received the right to work wherever PMTA has practices, prejudice, violation of the Constitution Article 4, and Article	a contract, ir	as the PMTA (b) (6)	n be seen as discriminatio	n, retaliation, unfair labor
to work after (b) (6), (b) (7)(C) no further actions needed.	c 5.2, as well	as the FWITA (b) (0), (b) (1)(O) which gives	The the light to go back
3. Name of Employer		4a. Tel. No.	b. Cell No.	c. Fax No.
GT-USA Wilmington, LLC		_		
G1-OSA Willington, LLC		d. e-mail		
5. Location of plant involved (street, city, state and ZIP code)			6. Employer representat	ive to contact
1 Hausel Road,				
Wilmington, DE, 19801			Tiffany Wiggins, H	uman Resources
	1			
7. Type of establishment (factory, mine, wholesaler, etc.)		rincipal product or service Port Services	e 9. Number o	of workers employed
Port		Port Services		
10. Full name of party filing charge (b) (6), (b) (7)(C)				
11. Address of party filing charge (street, city, state and ZIP code)		11a. Tel. No.	b. Cell No.	c. Fax No.
		(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	C. Fax NO.
(b) (6), (b) (7)(C)		d. e-mail		
		(b) (6), (l	b) (7)(C)	
12. DECLARATION			Tel. No.	
(b) (6), (b) (7)(C) clare that I have read the above charge		statements		(6), (b) (7)(C)
are true to the best of my knowled			Cell No.	
(b) (6), (b) (7)	(C)	(b)	(6), (b) (7)(C)
(signature of representative or person making charge)	,,,,,,,	me and title or office, if any)	Fax No.	**
(b) (c) (b) (7)(c)		2/ 2//2022	e-mail	
Address (b) (6), (b) (7)(C)		Date 3/ 24/2022	(b) (6), (b)) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

1. LABOR ORGANIZATIONS OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

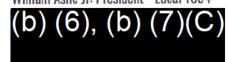
a. Name:

ILA and it's Locals, 1694, 1883, and 1884

c. Address:

200 S. Claymont Street, Wilmington, DE, 19801

b. Union Representatives to Contact:
 William Ashe Jr: President - Local 1694



d. Tel No:

e. Cell No:

f. Fax No:

g. email:

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices—within the meaning of section 8(b), subsections(s) (1) (A) and (2) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices—are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of Charge

(b) (6), (b) (7)(C) would like to bring charges to the above-named organizations for unfair labor practices. As of March 11th, 2021, 1694-1 has been dissolved, and there is a merger by the ILA executive, placing its members into 1694, 1883, and 1884, as they have the right to do so under Article 12, Section 4 of the ILA Constitution. The terms of the merger were not followed, as it stated that laborers should be placed into the labor union and checkers into the checker union, and everyone else into 1694, including (b) (6), (b) (7)(C) Under the Constitution, Article 18, Section 2 gives sole rights to the executive body to give directives in the way a merger or trusteeship should be executed, which did not occur as follows, due to unfair labor practices by 1694, 1883, and craft, which the executive board requested. the right to be in the local of 1884, which denied has a letter from (b) (6), (b) (7) dated March 16th, 2021, giving the right to contest position as a replied to in a timely fashion with two letters which wrote back to

Page 3 of

(b) (6), (b) (7)(C) gave permission to investigate (b) (6), (b) (7)(C) complaint, but (b) (6), (b) (7)(C) nas not received a response from and the situation remains unchanged.

Remedy: To place into the union of my craft as an which is 1694, and also to get my PMTA union card that I have never received, which was promised to me by the merger. I would also like to get my retirement benefits paid into by GT-USA, as of 2018, I have not received a raise or any form of retirement benefits. I would also want them to give me my equal work, equal pay, and equal benefits which I won at the District Council Hearing on November 7th, 2018, but never received it to this day. I would like to receive the same benefits that the 1694 members are getting which are health benefits, annuity, vacation based on my seniority of 16 years, and my freedom of movement to work whenever and wherever I want. I would also want to continue working as a (b) (6), (b) (7)(C) in 1694, without being prejudiced against or kicked out of the hiring hall for trying to get a job as a (b) (6), (b) (7)(C) and without being told to throw away my casual card.

3. Name of Employer:

GT USA Wilmington, LLC

5. Location of plant involved:

1 Hausel Road, Wilmington, DE 19801

7. Type of Establishment:

Dock

9. Number of Workers Employed;

200

11. Address of party filing charge;

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Signature

4a. Tel No:

4b. Cell No:

302-494-9797

4c. e-Mail:

Employer Representative to Contact:
 Tiffany Wiggins - Human Resources

Identify principal product or service:
 Dock Work

10. Full name of the party filing charge:

(b) (6), (b) (7)(C)

11a. Tel No : (b) (6), (b) (7)(C)

11b. e-Mail: (b) (6), (b) (7)(C)

Date: 3/24/2022



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



March 28, 2022

(b) (6), (b) (7)(C)

REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

ILA, Local 1883 200 S. Claymont Street Wilmington, DE 19801

(b) (6), (b) (7)(C)

ILA, Local 1884 200 S. Claymont Street Wilmington, DE 19801

Stephen Knott, Secretary-Treasurer International Longshoremen's Association 5000 West Side Avenue, Suite 300 North Bergen, NJ 07047

William Ashe, Pres. Local 1694 and VP ILA ILA Local 1694 200 S. Claymont Street Wilmington, DE 19801

Re: ILA and its Locals 1694,1883 and 1884

(GT USA Wilmington, LLC)

Case 04-CB-280810

(b) (6), (b) (7)(C), Mr. Knott and Mr. Ashe:

Enclosed is a copy of the second amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If the agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the second amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosure: Copy of second amended charge

cc: Lance Geren, Esquire
O'Donoghue & O'Donoghue, LLP
325 Chestnut Street, Suite 600
Philadelphia, PA 19106

Daniel J. Keenan, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut Street, Suite 600 Philadelphia, PA 19106

Daniel Wolff, Esquire Marrinan & Mazzola Mardon, P.C. 26 Broadway, 17th Floor New York, NY 10004-1814

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

ILA AND ITS LOCALS 1694,1883 AND 1884 (GT USA WILMINGTON, LLC)

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 04-CB-280810

AFFIDAVIT OF SERVICE OF SECOND AMENDED CHARGE AGAINST LABOR ORGANIZATION

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **March 28, 2022**, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

ILA, Local 1883 200 S. Claymont Street Wilmington, DE 19801

(b) (6), (b) (7)(C) Local 1884

ILA, Local 1884 100 S. Claymont Street Wilmington, DE 19801 Lance Geren, Esquire
O'Donoghue & O'Donoghue, LLP
325 Chestnut Street, Suite 600
Philadelphia, PA 19106
lgeren@odonoghuelaw.com

Daniel J. Keenan, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut Street, Suite 600 Philadelphia, PA 19106 dkeenan@odonoghuelaw.com

William Ashe, Pres. Local 1694 and VP ILA ILA Local 1694 200 S. Claymont Street Wilmington, DE 19801 Stephen Knott, Secretary-Treasurer International Longshoremen's Association 5000 West Side Avenue, Suite 300 North Bergen, NJ 07047

Daniel Wolff, Esquire Marrinan & Mazzola Mardon, P.C. 26 Broadway, 17th Floor New York, NY 10004-1814 dwolff@mmmpc.com

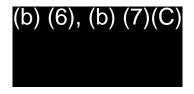
	Lorraine Y. Murray
March 28, 2022	Designated Agent of NLRB
Date	Name
	/s/ Lorraine Y. Murray
	Signature



REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658 Download NLRB Mobile App

March 28, 2022



Re: ILA and its Locals 1694,1883 and 1884

(GT USA Wilmington, LLC)

Case 04-CB-280810

Dear (b) (6), (b) (7)(C):

We have docketed the second amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If the agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the second amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures</u>: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Thomas Goom

Thomas Goonan Regional Director



Download

REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658

Download NLRB Mobile App

March 28, 2022

Tiffany Wiggins, Human Resources GT USA Wilmington, LLC 1 Hausel Road Wilmington, DE 19801

Re: ILA and its Locals 1694,1883 and 1884

(GT USA Wilmington, LLC)

Case 04-CB-280810

Dear Ms. Wiggins:

Enclosed is a copy of the second amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner KATHLEEN O'NEILL whose telephone number is (215)597-7645. If the Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, if the Board agent asks you for evidence with respect to the allegations in the second amended charge, I urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Thomas Govan

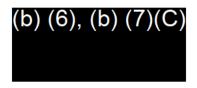
Thomas Goonan Regional Director

Enclosure: Copy of second amended charge

REGION 4 100 E Penn Square Suite 403 Philadelphia, PA 19107

Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658

September 15, 2022



Re: ILA and its Locals 1694,1883 and 1884

(GT USA Wilmington, LLC)

Case 04-CB-280810

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge, as amended, that International Longshoreman's Association (ILA) and its Locals 1694, 1883, and 1884 have violated the National Labor Relations Act.

Decision to Partially Dismiss: Based on the investigation, I have decided to dismiss certain allegations in your charge for the reasons discussed below.

Your charge alleges that (ILA) and its Locals 1694, 1883 and 1884 violated Section 8(b)(1)(A) and (2) of the Act by (1) unlawfully failing to place you in the local of your craft following the dissolution of ILA Local 1694-1 and the merger of Local 1694-1 into Locals 1694, 1883 and 1884; (2) operating a hiring hall in manner that is arbitrary, discriminatory, or in bad faith by refusing to refer you for (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C); (3) attempting to cause and causing GT-USA to not use you for (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) for reasons other than the failure to pay uniformly required fees and dues; and (4) barring you from working at GT-USA and the Delaware River Stevedore and removing you from the port. The investigation disclosed that were a member of Local 1694-1, classified as a (b) (6), (b) (7)(C) mainly operating a forklift, from about through about March 16, 2021. Beginning around the summer of 2020, while maintaining your Local 1694-1 membership, you frequently worked as a casual operating a (b) (6), (b) (7)(C) through referrals from Local 1694's hiring hall. On about March 16, 2021, Local 1694-1 was dissolved by the ILA and members of Local 1694-1 were placed into Locals 1694, 1883, and 1884, which serve the Port of Wilmington, Delaware. The former Local 1694-1 members were to maintain their seniority position for work within the jurisdiction of Local 1694-1 prior to the dissolution. You were assigned to Local 1884, but you believe that you should have been placed in Local 1694 because you had been working as a casual out of Local 1694 for approximately one year. In addition, you contend that you did not perform (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) which according to the terms of the merger agreement, would dictate placement in Local 1884. However, the investigation disclosed that members of the former Local 1694-1 were placed into the three locals based on the terms of the merger, the members' craft functions while in Local 1694-1, and the need to balance the size of each local. Many former Local 1694-1 members did not squarely fit into a local based on their job classification and work history. Accordingly, you and approximately 25 other former Local 1694-1 members with the (b) (6), (b) (7)(C) were assigned to Local 1884. As you were treated similarly as others with your job classification, I do not find that the ILA and its Locals

1694, 1883, and 1884 acted on the basis of arbitrary, irrelevant, or invidious considerations when placing you into Local 1884 instead of Local 1694. *Vaca v. Sipes*, 386 U.S. 171 (1967). The investigation also disclosed insufficient evidence that ILA, Local 1883, and Local 1884 violated the Act in any other manner alleged in the charge. Although you claim that they operated a hiring hall in an unlawful manner and refused to refer you to work assignments, your efforts to obtain work were through Local 1694, rather than Local 1883 or Local 1884. No evidence was presented that ILA, Local 1883 or Local 1884 attempted to cause and caused GT-USA not to use you for for reasons other than the failure to tender uniformly required initiation fees and periodic dues, or barred you from working with GT-USA and the Delaware River Stevedores (DRS) and removed you from the port. With respect to the allegations against the ILA, it is well settled that international unions are not to be held liable for the acts of their locals purely on the basis of the relationships between them. *California Saw and Knife Works*, 320 NLRB 224 (1995). Accordingly, I am refusing to issue complaint on these charge allegations.

The remaining allegations that Local 1694 violated Section 8(b)(1)(A) and (2) of the Act by: (1) operating a hiring hall in manner that was arbitrary, discriminatory, or in bad faith by refusing to refer you for (b) (6), (b) (7)(C) work and (b) (6), (b) (7)(C) (2) attempting to cause and causing GT-USA to not use you for (b) (6), (b) (7)(C) work and (b) (6), (b) (7)(C) for reasons other than the failure to pay uniformly required fees and dues; and m working at GT-USA and the Delaware River Stevedore and removing you from the port, remain subject to further processing.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible. Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See User Guide. A video demonstration which provides step-by-step instructions and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me. The main telephone number for the Office of Appeals is (202)273-3760.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **September 29, 2022**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service

no later than September 28, 2022. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is received on or before September 29, 2022. The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after September 29, 2022, even if it is postmarked or given to the delivery service before the due date. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

/s/ Emily DeSa

Emily DeSa Acting Regional Director

Enclosure

cc: Tiffany Wiggins, Human Resources GT USA Wilmington, LLC 1 Hausel Road Wilmington, DE 19801

(b) (6), (b) (7)(C)

ILA, Local 1883 200 S. Claymont Street Wilmington, DE 19801

Lance Geren, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut Street, Suite 600 Philadelphia, PA 19106 Daniel J. Keenan, Esquire O'Donoghue & O'Donoghue, LLP 325 Chestnut Street, Suite 600 Philadelphia, PA 19106

Stephen Knott, Secretary-Treasurer International Longshoremen's Association 5000 West Side Avenue, Suite 300 North Bergen, NJ 07047

Daniel Wolff, Esquire Marrinan & Mazzola Mardon, P.C. 26 Broadway, 17th Floor New York, NY 10004-1814

William Ashe, Pres. Local 1694 and VP ILA ILA Local 1694 200 S. Claymont Street Wilmington, DE 19801

(b) (6), (b) (7)(C)

ILA, Local 1884 200 S. Claymont Street Wilmington, DE 19801

Vlad Kachka, Esquire Spear Wilderman P.C. 230 S. Broad Street, Suite 1400 Philadelphia, PA 19102

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel Attn: Office of Appeals	Date:
National Labor Relations Board	
1015 Half Street SE Washington, DC 20570-0001	
9	
Please be advised that an appeal is her National Labor Relations Board from the actio issue a complaint on the charge in	reby taken to the General Counsel of the not the Regional Director in refusing to
ILA and its Locals 1694,1883 and 1884 (GT U	USA Wilmington, LLC)
Case Name(s).	
04-CB-280810	
Case No(s). (If more than one case number, inc taken.)	lude all case numbers in which appeal is
	(Signature)

E-FILING TO APPEALS

- 1. **Extension of Time**: This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. **File an Appeal**: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any additional materials to add to the Appeal should be e-filed under Correspondence.
- 3. **Notice of Appearance**: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
- Correspondence: Parties will select Correspondence when adding documents or supplementing the Appeal
 or Extension of Time.
 - Correspondence is used to e-file documents after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 5. **Position Statement**: The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 6. **Withdrawal Request**: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.



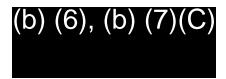
- 7. The selections of **Evidence** or **Other** should no longer be used.
- 8. If you need to contact the Office of Appeals, please call (202)273-3760.



OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

September 30, 2022



Re: ILA and its Locals 1694,1883 and 1884

(GT USA Wilmington, LLC)

Case 04-CB-280810

Dear (b) (6), (b) (7)(C)

We have received your timely appeal from the Region's decision in the above-captioned case. We will assign your appeal for processing in accordance with Agency procedures. Please be assured that our review of this matter will include a full analysis of the underlying investigatory file, your appeal, as well as current Board law and processes.

We will notify you and all involved parties of our decision by letter via email as permitted under Section 102.4(c) of the Board's *Rules and Regulations*. If an email address is not available for you, we will provide the decision by mail.

Sincerely,

Jennifer A. Abruzzo General Counsel

By:

Mark E. Arbesfeld, Director Office of Appeals

Mark E. Alberteld

cc: THOMAS GOONAN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
100 E PENN SQ STE 403
PHILADELPHIA, PA 19107

TIFFANY WIGGINS HUMAN RESOURCES GT USA WILMINGTON, LLC 1 HAUSEL RD WILMINGTON, DE 19801

(b) (6), (b) (7)(C)

ILA, LOCAL 1883 200 S CLAYMONT ST WILMINGTON, DE 19801

LANCE GEREN, ESQ. O'DONOGHUE & O'DONOGHUE, LLP 325 CHESTNUT ST STE 600 PHILADELPHIA, PA 19106

VLAD KACHKA, ESQ. SPEAR WILDERMAN P.C. 230 S BROAD ST STE 1400 PHILADELPHIA, PA 19102 DANIEL J. KEENAN, ESQ. O'DONOGHUE & O'DONOGHUE, LLP 325 CHESTNUT ST STE 600 PHILADELPHIA, PA 19106

STEPHEN KNOTT SECRETARY-TREASURER INTERNATIONAL LONGSHOREMEN'S ASSOCIATION 5000 W SIDE AVE STE 300 NORTH BERGEN, NJ 07047

(b) (6), (b) (7)(C) ILA, LOCAL 1884 200 S CLAYMONT ST WILMINGTON, DE 19801

DANIEL WOLFF, ESQ. MARRINAN & MAZZOLA MARDON, P.C. 26 BROADWAY 17TH FL NEW YORK, NY 10004-1814

WILLIAM ASHE, PRES. LOCAL 1694 AND VP ILA ILA LOCAL 1694 200 S CLAYMONT ST WILMINGTON, DE 19801

vrm

UNITED STATES OF AMERICA	DO NOT W	RITEINTHISSPACE
NATIONAL LABOR RELATIONS BOARD	Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS	04-CB-304069	9/26/22
INSTRUCTIONS: File an original of this charge with the NLRB Region		
1. LABOR ORGANIZATION OR ITS AGENTS	AGAINST WHICH CHARGE IS BR	OUGHT
 a. Name International Longshoremens Association, and ILA, Local 1694 	b. Union Representative t William Ashe	1694 and Vice President of ILA
c. Address for Local 1694 (b) (6), (b) (7)(C) Wilmington, DE 19801	d. Tel. No.	e.e. Cell No. (b) (6), (b) (7)(C)
Sco S. (Quinton + St.) M DC 980 Address for International Longshorement Association:	K1 / 1	g. e- Mail
		ctices within the meaning of section
8(b), subsection(s) (1)(A) and (2) of the National Labor Relations Act,	rce within the meaning of the Act a	and the Postal Reorganization Act.
a David at the Charge (not forth a close and concise statement of the ISC	ts constituing the alleged dillar ia	indi practices;
i cines about August 30, 2022, the above-named labor or	anization has restrained ar	na coercea employees in the
examine of rights protected by Section 7 of the Act by ref	using to represent employs	es formeny part of Local 1094-
1 by seeking to exclude them from Local 1694, which has	s a collective bargaining ag	reement with the Employer, for
arbitrary or discriminatory reasons or in bad faith.		İ
	4a. Tel. No.	4b. Cell No.
3. Name of Employer GT USA Wilmington, LLC	12.	
GT USA Willington, LLC	4c. FaxNo.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code)	6. Employer representativ	ve to contact
7. Type of Establishment (Markey) many	roduct or service	Number of Workers employed
Port Port serv	rices	I ddh. Coll No
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	11b, Cell No. (b) (6), (b) (7)(C)
	11c. Fax No.	11d e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code)		
(b) (6), (b) (7)(C)		
I declare that I have read the above charge and that the state	ments therein are true to the bes	st of my knowledge and belief.
), (b) (7)(C)	(b) (6), (b) (7)(C)
(signati	pe name and title or office, if any	Cell No. (b) (6), (b) (7)(C)
Address: (b) (7)(C)	Date:	Fax No.
(b) (6), (b) (7)(C)	9/23/200	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

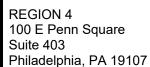


ARD

Agency Website: www.nlrb.gov
Telephone: (215)597-7601

Download
NLRB

Mobile App



September 26, 2022

Fax: (215)597-7658

William Ashe, Vice President International Longshoremens Association 5000 West Side Avenue, Suite 300 North Bergen, NJ 07047

William Ashe, President ILA Local 1694 200 S. Claymont Street Wilmington, DE 19801

Re: International Longshoremens Association

and ILA, Local 1694

(GT USA Wilmington, LLC)

Case 04-CB-304069

Dear Mr. Ashe:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney DAVID RODRIGUEZ whose telephone number is (215)597-7657. If this Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of

the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence:</u> All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

- 3 -

If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Goonan

Thomas Goonan Regional Director

Enclosure: Copy of Charge

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

INTERNATIONAL LONGSHOREMENS
ASSOCIATION AND ILA, LOCAL 1694 (GT USA
WILMINGTON, LLC)

Charged Party

and

Case 04-CB-304069

(b) (6), (b) (7)(C)

Charging Party

AFFIDAVIT OF SERVICE OF CHARGE AGAINST LABOR ORGANIZATION

I, the undersigned employee of the National Labor Relations Board, state under oath that on September 26, 2022, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

William Ashe, Vice President International Longshoremens Association 5000 West Side Avenue, Suite 300 North Bergen, NJ 07047

William Ashe, President ILA Local 1694 200 S. Claymont Street Wilmington, DE 19801

	Lorraine Y. Murray
September 26, 2022	Designated Agent of NLRB
Date	Name
	/s/ Lorraine Y. Murray
	Signature

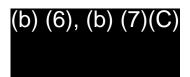


Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



NLRB Mobile App

September 26, 2022



REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: International Longshoremens Association and ILA, Local 1694 (GT USA Wilmington, LLC) Case 04-CB-304069

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on September 26, 2022 has been docketed as case number 04-CB-304069. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney DAVID RODRIGUEZ whose telephone number is (215)597-7657. If this Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

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and ILA, Local 1694 (GT USA Wilmington, LLC) Case 04-CB-304069

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Goom

Thomas Goonan Regional Director



Agency Website: www.nlrb.gov Telephone: (215)597-7601 Fax: (215)597-7658



September 26, 2022

GT USA Wilmington, LLC 1 Hausel Road Wilmington, DE 19801

REGION 4

Suite 403

100 E Penn Square

Philadelphia, PA 19107

Re: International Longshoremens Association

and ILA, Local 1694

(GT USA Wilmington, LLC)

Case 04-CB-304069

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney DAVID RODRIGUEZ whose telephone number is (215)597-7657. If this Board agent is not available, you may contact Supervisory Attorney NOELLE M. REESE whose telephone number is (215)597-0729.

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<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

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important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

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* * *

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Thomas Govan

Thomas Goonan Regional Director

Enclosures

- 1. Copy of Charge
- 2. Commerce Questionnaire

TONIAL DE COM							
FORM NLRB-5081 (3-11)	NATIONAL 1	LABOR RELAT	TIONS BOARD				
QUESTI	ONNAIRE C	ON COMMER	RCE INFORMA	NOITA			
Please read carefully, answer all applicable items, and re	turn to the NLRB	Office. If addition	al space is required,	please add a pa	ge and id	dentify item number.	
CASE NAME						NUMBER	
					04-CB-	304069	
1. EXACT LEGAL TITLE OF ENTITY (As filed w	ith State and/or	stated in legal d	locuments forming	entity)			
2. TYPE OF ENTITY							
[] CORPORATION [] LLC [] LLP [PARTNERSH	IP [] SOLE	PROPRIETORSHII	P [] OTH	ER (Spec	cify)	
3. IF A CORPORATION or LLC		.,		.,	• • •	3,	
A. STATE OF INCORPORATION	B. NAME, AI	DDRESS, AND I	RELATIONSHIP (e.	g. parent, subsi	idiary) O	F ALL RELATED E	NTITIES
OR FORMATION			`				
4. IF AN LLC OR ANY TYPE OF PARTNERSHI	P, FULL NAME	E AND ADDRES	SS OF ALL MEME	ERS OR PAR	TNERS		
5. IF A SOLE PROPRIETORSHIP, FULL NAME	AND ADDRES	S OF PROPRIE	TOR				
,							
6. BRIEFLY DESCRIBE THE NATURE OF YOU	D ODED ATION	NS (Products have	dled or manufactur	ad on mature of	f name i a a a	navformed)	
0. BRIEFLI DESCRIBE THE NATURE OF TOO	K OF EKATIO	15 (Froducts han	шей от тапијаснит	za, or nature of	services	регјогтей).	
7A. PRINCIPAL LOCATION:		7B. BRANCH	LOCATIONS:				
8. NUMBER OF PEOPLE PRESENTLY EMPLO	YED						
A. TOTAL:	B. AT THE A	DDRESS INVO	LVED IN THIS MA	TTER:			
9. DURING THE MOST RECENT (Check the appr	ropriate box): [] CALENDAR	[] 12 MONTHS	or [] FISC	AL YEA)
						YES	NO NO
A. Did you provide services valued in excess of \$50,0							NO NO
A. Did you provide services valued in excess of \$50,0	000 directly to cu	stomers outside y	your State? If no, in	dicate actual va	lue.		NO NO
A. Did you provide services valued in excess of \$50,0	000 directly to cu	stomers outside y	your State? If no, in	dicate actual va	lue.) NO
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PRIVACY ACT STATEMENT

E-MAIL ADDRESS

DATE

SIGNATURE

NAME AND TITLE (Type or Print)

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.